

Appl. No. 10/798,488
Amdt. Dated 08/09/2005
Reply to Office Action of May 12, 2005

REMARKS/ARGUMENTS

This is in response to the Office Action mailed May 12, 2005. Claims 1 and 3 have been amended. Claims 2 and 7-20 have been cancelled without prejudice, and claims 21-35 have been added.

Oath/Declaration

In response to the Notice to File Missing Parts of the Application, Applicants have already corrected the inconsistency by supplying a signed Declaration and Power of Attorney that claimed Priority to Japanese Patent Application No. 2003-064396. The signed Declaration was submitted in response to the Notice of Missing Parts mailed May 28, 2004. Hence, withdrawal of the requested Declaration alteration is respectfully requested.

Rejection Under 35 U.S.C. §102

The Examiner has rejected claims 1-4 and 6 under 35 U.S.C. §102(b) as being anticipated by Kung (U.S. Patent No. 6,317,314). Applicants respectfully traverse the rejection because a *prima facie* case of anticipation has not been established.

As the Examiner is aware, to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Vergegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Before discussing the grounds for traverse, a brief explanation of the cited reference (Kung) may be appropriate.

Herein, Kung appears to disclose a portable computer comprising a keyboard housing that supports keyboard unit (41). The keyboard housing comprises surrounding wall member (10) and cover member (20). Herein, the surrounding wall member (10) includes rectangular surrounding wall (12) and a partition (11). The partition (11) is provided on the inner rectangular surrounding wall (12). The partition (11) features a rectangular peripheral portion

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(113) connected integrally to rectangular surrounding wall (12) and an X-shaped central portion (114). The X-shaped central portion (114) cooperates with a rectangular peripheral portion (113) to define openings (111). The partition (11) cooperates with the rectangular surrounding wall (12) to form an upper receiving space (101) with a top open end and lower receiving space (102) with a bottom end. The keyboard unit (41) is retained in the upper receiving space (101). The cover member (20) is formed separately from surrounding wall member (10), and is mounted at the bottom open end of surrounding wall member 10 to cover lower receiving space (102) from below.

With respect to the outstanding §102(b) rejection, the Office Action alleges that the cover member (20) and circuit board (50) of Kung correspond to the mounting portion as claimed. See *Page 2 of the Office Action*. Moreover, the Office Action further alleges that the surrounding wall member (10) of Kung corresponds to the reinforcing plate as claimed. Applicants respectfully disagree with such allegations because the cover member/circuit board (20,50) of Kung (allegedly the “mounting portion” as claimed) does not receive an input device such as a keyboard. Instead, Kung teaches the keyboard unit (41) being retained in the upper receiving space (101) formed inside of rectangular surrounding wall (12). That is, the keyboard unit (41) formed on partition (11) is retained in a keyboard housing. Thus, Kung does not describe a structure corresponding to the mounting portion as claimed.

Moreover, in the claimed invention, the reinforcing plate is arranged so that the bottom wall of the mounting portion is formed between the reinforcing plate and the input device. In contrast, Kung teaches a “mounting portion,” equivalent to the cover and circuit board (20,50) of Kung that does not have its bottom wall between the input device (e.g., keyboard) and the reinforcing plate (10). Rather, Kung teaches a keyboard unit (41) formed directly on the partition (11). Hence, Kung does not disclose the structure arrangement as claimed, namely that the reinforcing plate is stacked on the inner surface of the bottom wall, causing the bottom wall to be located between the reinforcing plate and the input device.

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It is further noted that claims 3, 4 and 6 of the subject application depend on amended claim 1. Based on such dependency as well as particular limitations set forth in these claims, the §102(e) rejection is not applicable.

In light of the following, Applicants respectfully request that the outstanding §102(e) rejection be withdrawn.

Rejection Under 35 U.S.C. § 103

Claim 5 has been rejected under 35 U.S.C. § 03(a) as being unpatentable over Kung in view of Kim (U.S. Patent No. 6,262,883). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988).* Herein, the combined teachings of the cited references fail to describe or suggest all the claim limitations.

Applicants incorporate the arguments set forth above and requests the Examiner to reconsider the pending claims. For example, neither Kung nor Kim, alone or in combination, discloses or suggests the reinforcing plate as claimed. An item considered to correspond to the reinforcing plate (e.g., item 20a of Kim) is a bottom surface of a keyboard seat where keyboard assembly (16) is removably mounted. Therefore, Kim does not disclose a "reinforcing plate" which reinforces the keyboard seat from inside of the housing. Such findings, in combination with the lack of teachings of a "reinforcing plate" by Kung in light of the claimed positioning of the reinforcing plate and its reinforcement of the bottom wall from inside of the housing, warrant that the outstanding §103(a) rejection be withdrawn.

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Conclusion

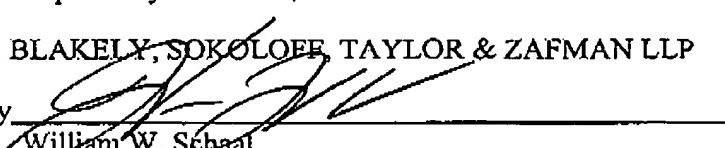
Applicants respectfully request examination of the pending claims. The Examiner is respectfully requested to contact the undersigned by telephone at the phone number listed below if after review, the Examiner still believes that the pending claims are not in condition for allowance. This telephone conference would greatly facilitate the examination of the present application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 9, 2005

By


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Susan McFarlane

08/09/2005

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